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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,749	12/24/2003	Young-Hyun Kang	P56938	8926
7590 Robert E. Bushnell Suite 300 1522 K Street, N.W. Washington, DC 20005	02/28/2008		EXAMINER TANG, KAREN C	
			ART UNIT 2151	PAPER NUMBER
			MAIL DATE 02/28/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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WASHINGTON DC 20005-1202

FEB 29 2008

TECHNOLOGY CENTER 2100

In re Application of:
Young-Hyun KANG, et al.
Application No. 10/743749
Filed: December 24, 2003
For: METHOD FOR BATCH REGISTRATION OF
INTEGRATED DIGITAL LOOP CARRIER
SUBSCRIBER USING PROGRAM LOADED
DATA OF EXCHANGE, AND ELEMENT
MANAGEMENT SYSTEM SERVER FOR THE
SAME

)
)
) DECISION ON PETITION
) UNDER 37 C.F.R. § 1.181
)

This is a decision on the petitions filed Jul 16, 2007 and Dec 31, 2007 under 37 CFR § 1.181 to invoke Supervisory Authority of the Commissioner and require the Examiner to acknowledge the claim for foreign priority under 35 USC 119(a)-(d). In the Dec 31, 2007 petition, the petitioner further requests a restart period for response from the date which the examiner issues a written acknowledgement.

A review of file history indicates that an Oath/Declaration of the instant application claiming the benefit of Korean application No. 2003-6229 along with a certified copy of the foreign priority of the Korean application were filed with the office on Dec 24, 2003. The Korean application No. 2003-6229 has a filing date of Jan 30, 2003. The applicant had satisfied the requirements of 35 USC 119(a)-(d), thus the claim to foreign priority benefit of the Korean application No. 2003-6229 is hereby **ACKNOWLEDGED**.

The examiner has not formally acknowledged the claim for benefit of the foreign application in the office actions mailed July 11, 2007 or Dec 18, 2007. However, there is no finding of the examiner's indication that the certified copy of the Korean application has not been received in either of the office actions as asserted. The Office will direct the examiner to **formally acknowledge** the benefit for the foreign priority claim of the Korean application No. 2003-6229 in the next communication.

MPEP 716.06 states, in part:

Where the citation of a reference is incorrect or an Office action contains some other error that affects applicant's ability to reply to the Office action and this error is called to the attention of the Office within 1 month of the mail date of the

action, the Office will restart the previously set period for reply to run from the date the error is corrected...”.

In this instant, the ability to reply to the Office action has not been shown to be affected. Therefore, the request to restart the period for response is **DISMISSED**.

Accordingly, the request for acknowledgement of the foreign priority is **GRANTED** and the request to restart the period for response is **DISMISSED**.

Thus the petitions are **GRANTED in part**.

37 C.F.R. § 1.181(f) states that the mere filing of a petition will not stay any period for reply that may be running against the application, nor act as a stay of other proceedings. Therefore, the period for response continues to run from the date of the Final office action of Dec 18, 2007.

Any inquiry concerning this decision should be directed to the undersigned whose telephone number is (571) 272-4147.



Kim Huynh

Special Program Examiner
Technology 2100,
Computer Architecture, Software, and
Information Security